

The introductory language to subsection (a) and the introductory phrase to subsection (b)(1) of this section conform to the language of the Administrative Procedure Act, which provides a right of judicial review of any "final decision" of an agency in a "contested case". A situation is a contested case if a party has a right to a hearing (see the Administrative Procedure Act definition of "contested case" in Art. 41, § 244 of the Code).

As to the application of this section, the Board of Review has general jurisdiction over final decisions of the Board under this subtitle. Therefore, for some actions, a decision of the Board of Review is a prerequisite to judicial review. Subsection (a) of this section reflects that general procedure. The Board of Review, however, does not have jurisdiction over any disciplinary action taken by the Board. Consequently, subsection (b) of this section expressly provides for direct judicial review for persons aggrieved under § 13-315 of this subtitle.

The new language substituted in this section better coordinates the combined requirements of the Administrative Procedure Act and the laws regarding the Board of Review. These provisions apply in any event. No substantive change is intended.

#### SUBTITLE 4. PROHIBITED ACTS; PENALTY.

##### 13-401. PRACTICING WITHOUT LICENSE.

###### (A) PRACTICING PHYSICAL THERAPY.

EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, A PERSON MAY NOT PRACTICE, ATTEMPT TO PRACTICE, OR OFFER TO PRACTICE PHYSICAL THERAPY IN THIS STATE UNLESS LICENSED TO PRACTICE PHYSICAL THERAPY BY THE BOARD.

###### (B) PRACTICING LIMITED PHYSICAL THERAPY.

EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, A PERSON MAY NOT PRACTICE, ATTEMPT TO PRACTICE, OR OFFER TO PRACTICE LIMITED PHYSICAL THERAPY IN THIS STATE UNLESS LICENSED TO PRACTICE LIMITED PHYSICAL THERAPY BY THE BOARD.

REVISOR'S NOTE: This section is new language derived in part from the first sentence of Art. 43, § 613, as that sentence applies to prohibiting a person from practicing physical therapy or limited physical therapy without a license. In addition, the references to "attempt" and "offer" to practice physical therapy or limited physical